

SENATE BILL NO. 171

BY SENATORS BROOME, CHEEK, DORSEY, ERDEY, GRAY EVANS, HEITMEIER,
MOUNT AND NEVERS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To enact R.S. 46:1414, relative to child care facilities; to provide for the dissemination of
3 information relating to the benefits of immunizing certain children against influenza;
4 to provide for duties of a licensed child care facility; to provide for duties of the
5 Department of Health and Hospitals and the Department of Social Services; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 46:1414 is hereby enacted to read as follows:

9 **§1414. Immunization information; influenza**

10 **A. Each licensed child care facility, whether licensed as a Class A or**
11 **Class B facility, before November first of each year, shall make available to each**
12 **child's parent or legal guardian information relative to the risks associated with**
13 **influenza and the availability, effectiveness, known contraindications and**
14 **possible side effects of the influenza immunization. Such information shall**
15 **include the causes and symptoms of influenza, the means by which influenza is**
16 **spread, and the places where a parent or legal guardian may obtain additional**
17 **information and where a child may be immunized against influenza. Such**
18 **information shall be updated annually if new information on such disease is**
19 **available.**

20 **B.(1) The Department of Health and Hospitals shall develop and provide**
21 **information on influenza immunization to the Department of Social Services.**
22 **The Department of Social Services shall provide such information to each**
23 **licensed child care facility, which shall make the information available to each**
24 **child's parent or legal guardian pursuant to Subsection A of this Section.**

25 **(2) The Department of Health and Hospitals and the Department of**

1 Social Services shall determine respectively the most cost-effective and efficient
 2 means of distributing such information.

3 C. The Department of Social Services, in consultation with the
 4 Department of Health and Hospitals, shall establish by rules and regulations all
 5 guidelines and procedures for carrying out the provisions of this Section in
 6 accordance with the Administrative Procedure Act.

7 D. Nothing in this Section shall be construed to require any licensed child
 8 care facility, the Department of Social Services, or the Department of Health
 9 and Hospitals to provide or pay for immunizations against influenza.

10 Section 2. This Act shall become effective on August 15, 2009; if vetoed by the
 11 governor and subsequently approved by the legislature, this Act shall become effective on
 12 August 15, 2009, or on the day following such approval by the legislature, whichever is
 13 later.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____